

**United States Environmental Protection Agency
Criminal Investigation Division
Investigative Activity Report**

Case Number

1000-M646

Case Title:

Shell Puget Sound Refinery

Reporting Office:

Seattle, WA, Area Office

Subject of Report:

Contact with Toby Mahar

Activity Date:

March 4, 2015

Reporting Official and Date:

(b) (6), (b) (7)(C)

Special Agent

24-MAR-2015, Signed by (b) (6), (b) (7)(C)

Approving Official and Date:

(b) (6), (b) (7)(C)

Assistant Special Agent in Charge

24-MAR-2015, Approved by (b) (6), (b) (7)(C)

Assistant Special Agent in Charge

SYNOPSIS

On March 4, 2015, U.S. Environmental Protection Agency (EPA) - Criminal Investigation Division (CID) Special Agent (b) (6), (b) (7)(C), spoke with Northwest Clean Air Agency Compliance Manager, Toby Mahar, regarding the odor release from the Shell Puget Sound Refinery on February 20, 2015. Mahar advised that she is a compliance manager for the air program and has overseen compliance and enforcement matters at the Shell Puget Sound Refinery. She reported that the NW Clean Air Agency intended to investigate the odor release after Shell completed their own internal investigation.

DETAILS

On March 4, 2015, U.S. Environmental Protection Agency (EPA) - Criminal Investigation Division (CID) Special Agent (b) (6), (b) (7)(C), spoke with Northwest Clean Air Agency Compliance Manager, Toby Mahar, regarding the odor release from the Shell Puget Sound Refinery on February 20, 2015. Mahar advised that she is a compliance manager for the air program and has overseen compliance and enforcement matters at the Shell Puget Sound Refinery. She reported that the NW Clean Air Agency intended to investigate the odor release after Shell completed their internal investigation.

Mahar informed that the NW Clean Air Agency was first alerted to the release by the public. She stated that their first indication that something was wrong was when they received several citizen complaints about a noxious odor in the LaConner area.

Mahar advised that another NW Clean Air Agency employee, Danny Mahar, sent an air inspector out to the LaConner area to confirm the complaints about a noxious odor in the area. At approximately 1630 PST on February 20, 2015, the inspector called back to the NW Clean Air Agency and confirmed that "there was a nasty odor" in the area around the Shell Puget Sound Refinery.

Toby Mahar advised that once the odor was identified as coming from the Shell Refinery, she contacted (b) (6), (b) (7)(C) with Shell and told (b) (6), (b) (7)(C) that the odor coming from the refinery was irritating several citizens in the area. (b) (6), (b) (7)(C) reported to T. Mahar that the refinery was aware of the release and had stopped steam cleaning in order to stop the odor release.

T. Mahar advised that the NW Clean Air Agency has a Sulfur Dioxide air monitor near the Shell Refinery. Unfortunately, T. Mahar advised that the monitor was down for maintenance on February 20, 2015 and did not capture any data from the refinery. She stated that the Shell Refinery has its

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own Sulfur Dioxide monitor that should have been operational at the time of the release.

T. Mahar reported that the Shell Refinery has an air permit. She was unsure whether the permit incorporated odor nuisance impacts on nearby communities. She advised that the Shell Refinery has a compliance history with the NW Clean Air Agency regarding air permit violations. T. Mahar stated that she would email SA ^{(b) (6), (b) (7)(C)} a timeline of compliance issues that the NW Clean Air Agency has had with the Shell Refinery.

T. Mahar informed that ^{(b) (6), (b) (7)(C)} . She stated that she spoke with ^{(b) (6), (b) (7)(C)} about the release. ^{(b) (6), (b) (7)(C)} told T. Mahar that ^{(b) (6),} had put together a team to investigate the release. According to T. Mahar, ^{(b) (6), (b) (7)(C)} when the release occurred and was not at the plant to manage the situation. T. Mahar advised that once she receives ^{(b) (6), (b) (7)(C)} investigative reports, her and a team of inspectors will go to the refinery and conduct their own investigation.

On March 9, 2015, T. Mahar emailed SA ^{(b) (6), (b) (7)(C)} Shell's Air Operating Permit, the basis for the permit, construction orders, a consent decree and a timeline of air permit compliance issues at the Shell Refinery. All documents received from T. Mahar are attached to this IAR.

ATTACHMENT

Shell's Air Operating Permit
Shell's Statement of Basis for the permit
Order of approval for construction
Consent Decree
Shell 5 year enforcement history